



Docket No.: 057810-0095

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Yasuhiro TAKEDA, et al. : Confirmation Number: 2835  
Application No.: 10/811,811 : Group Art Unit: 2811  
Filed: March 30, 2004 : Examiner: M. Landau  
For: SEMICONDUCTOR DEVICE AND METHOD OF FABRICATING SEMICONDUCTOR DEVICE

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Restriction Requirement  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action dated December 12, 2005, the Examiner imposed a Restriction Requirement pursuant to 35 U.S.C. §121, requiring election of either:

Group I. Claims 1 through 17, directed to a device; or

Group II. Claims 18 through 30, directed to a method.

The Examiner also imposed a requirement for an election of Species pursuant to 35 U.S.C. §121. Specifically, as to Group I (device claims 1 through 17), the Examiner further required election of:

- a. Species I, illustrated in Figs. 1 and 13;
- b. Species II, illustrated in Fig. 27; or
- c. Species III, illustrated in Fig. 44.

As to Group II (method claims 18 through 30), the Examiner further required election of:

- a. Species I, illustrating Fig. 3 through 11;
- b. Species II, illustrated in Figs. 14 through 26;
- c. Species III, illustrated in Figs. 30 through 43; or
- d. Species IV, illustrated in Figs. 45 through 52.

In response, Applicants elect to prosecute Group I, directed to a semiconductor device, including claims 1 through 17. Further, Applicants elect Species I, directed to the embodiment illustrated in Figs. 1 and 13. In further response, Applicants designate claims 1 and 3 through 6 as readable on the elected Species I (Figs. 1 and 13). Favorable consideration of claims 1 and 3 through 6 is solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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